

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CRAIG GENESS	:	CIVIL ACTION
	:	
v.	:	NO. 16-876
	:	
COMMONWEALTH OF PENNSYLVANIA	:	
	:	

ORDER


AND NOW, this 30th day of November 2020, upon considering the parties' Cross-motions for summary judgment (ECF Doc. Nos. 259, 263), Responses (ECF Doc. Nos. 279, 282), Supplements (ECF Doc. Nos. 334, 335), following oral argument, post-hearing Memoranda (ECF Doc. Nos. 346, 347), and for reasons in an accompanying Memorandum, it is **ORDERED**:

1. Plaintiff's Motion for summary judgment (ECF Doc. No. 263) is **DENIED** as there are genuine issues of material fact requiring a trial as to deliberate indifference after the medical opinion Plaintiff would never be competent for trial; and,

2. Defendant's Motion for summary judgment (ECF Doc. No. 259) is **GRANTED in part** and **DENIED in part**:

a. Defendant's Motion for summary judgment (ECF Doc. No. 259) is **GRANTED** as to Plaintiff's claims for conduct by the Administrative Office of Pennsylvania Courts and the Department of Human Services; and,

b. Defendant's Motion is otherwise **DENIED**.



KEARNEY, J.